IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 28TH NOVEMBER 2007 / 7TH AGRAHAYANA 1929

Bail Appl..No. 7254 of 2007()

CMP.3741/2007 of J.M.F.C.-I,THAMARASSERY
CRIME NO.472/07 OF THAMARASSERY POLICE STATION

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PETITIONER/ACCUSED

SHAJI VARGHESE, S/O.ABRAHAM, AGED 39
YEARS, THEKKEKARA VEEDU, EANGAPUZHA AMSOM.

BY ADV. SRI.LUIZ GODWIN D'COUTH

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
SUB INSPECTOR OF POLICE, THAMARASSERY
POLICE STATION, THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 7254 of 2007

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Dated this the 28th day of November, 2007

O R D E R

Application for regular bail. The petitioner was allegedly found to keep in his possession 40 litres of arrack and utensils for distillation of arrack on 15.10.2007. He surrendered on 31.10.2007 and continues in custody from that date. The petitioner has no history of any criminal antecedents, submits the learned Prosecutor.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail, subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall not be released from custody on the strength of this order prior to 3.12.2007. The police shall in the meantime make every endeavour to complete the investigation.

(b) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) He shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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